

From: Dan & John Scherlis,
on behalf of the Scherlis Family Nominee Trust
89 & 91 Manaquayak Road
West Tisbury, MA

10 January 2022

To: Board of Selectmen
West Tisbury, MA

Re: “application of LCI Hospitality LLC (Lambert’s Cove Inn) 90 Manaquayak Road, West Tisbury for an alcoholic beverage license for retail sale of wine and malt,”
West Tisbury Board of Selectmen hearing of 12 January 2022.

(This letter supersedes our previous letter to you, of 27 December 2021, re the hearing then scheduled for 29 December 2021.)

We have been neighbors and abutters to the Lambert’s Cove Inn (LCI) since its beginning in 1969. In the more than fifty years since then, the Inn has by and large been a good neighbor. However, as part of its expansion since it was classified as a nonconforming use, and especially associated with the Inn hosting private events such as weddings, the Inn’s patrons have increasingly created disturbances, especially noise. These have correlated with the availability of alcoholic drinks.

That the Inn includes a restaurant open to the public, that the restaurant has a 70-seat capacity, and that in recent years the Inn has had a license from the town to serve beer and wine, are all expansions of the pre-existing nonconforming use. Each of these has had adverse effects on us.

We are hopeful that the prospective new owners of the Lambert’s Cove Inn will be good neighbors, and we wish them the best, but due to our experience in the last few years, we are contacting the board to make explicit some of our concerns, and to make two requests related to LCI Hospitality’s current application for a beer and wine license. These are:

1. *Clarification: We ask the Board of Selectmen to emphasize, as a condition of the license for wine and malt, that hard liquor is never allowed to be served at the LCI.*

Despite its prohibition, *hard liquor* was served at the LCI on multiple occasions after the beer and wine license was issued. We have found that the consumption of hard liquor at the LCI is correlated with especially intrusive noise disturbances.

There might appear to be exceptions to that rule, but in fact, none of them apply in this case:

- A one-day special license can be issued by the Town. However, this *cannot be issued* to “any premises that has an alcoholic beverages license.” ([Source: AABC](#))
- The caterer’s §12C license. However, the §12C license *is not valid* “at a location already licensed to serve alcohol.” ([Source: AABC](#))
- BYOB: Contrary to assertions by 2021 LCI management, the Mass. ABCC's Chief Investigator has confirmed that wedding parties (for example) may not bring their own alcohol to a private function at a licensed premise. . It is not allowed, "that's definite. No doubts." (Source: personal comms.)

2. *Hours of service: We ask that the town seriously consider setting 10pm, rather than 11pm, as the limit to the hours when alcohol may be served.*

The LCI is located squarely within a residential area. Furthermore, when the LCI has served alcohol to 11pm at private functions, this has increased the disturbance to us.

Thank you for your consideration.

Dan & John Scherlis